

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

**TAIWAN DICKERSON, KIM
KING-MACON, and TIFFANY RUSSELL,**

Plaintiffs,

vs.

**CENTENE MANAGEMENT COMPANY,
LLC, and CENTENE CORPORATION,**

Defendants.

Case No. 4:22-cv-00519-HEA

**DECLARATION OF BREANNE SHEETZ MARTELL IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

I, Breanne Sheetz Martell, hereby declare pursuant to 28 U.S.C. § 1746 and under the penalty of perjury, that the following is true and correct:

1. I am a shareholder in the law firm of Littler Mendelson, P.C., with my office in Seattle, Washington. I am counsel of record for Defendants Centene Management Company, LLC (“CMC”), and Centene Corporation, (collectively, “Defendants”) in the above-captioned matter.
2. I am an adult over eighteen (18) years of age, have personal knowledge of the facts set forth in this Declaration, and, if called to do so, I can testify competently to the same. I understand this Declaration may be used for any purpose permitted by law.
3. Attached as **Exhibit A** is a true and correct copy of Defendant Centene Corporation’s Verified Response to Plaintiffs’ First Set of Interrogatories and Requests for Production.
4. Attached as **Exhibit B** is a true and correct copy of excerpts from the November

21, 2022 deposition of Plaintiff Taiwan Dickerson, which have been highlighted to correspond to cited testimony.

5. Attached as **Exhibit C** is a true and correct copy of Exhibit 4 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains Mr. Dickerson's electronic HRIS File.

6. Attached as **Exhibit D** is a true and correct copy of Exhibit 2 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains Mr. Dickerson's Responses to Defendants' First Set of Requests for Admissions.

7. Attached as **Exhibit E** is a true and correct copy of Exhibit 5 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains excerpts of CMC's 2019 Employee Handbook.

8. Attached as **Exhibit F** is a true and correct copy Exhibit 9 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains Mr. Dickerson's pay stubs for the time period potentially relevant to this lawsuit.

9. Attached as **Exhibit G** is a true and correct copy Exhibit 10 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains Mr. Dickerson's electronic timekeeping records for the time period potentially relevant to this lawsuit.

10. Attached as **Exhibit H** is a true and correct copy Exhibit 11 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains excerpts of Mr. Dickerson's timesheet edit report.

11. Attached as **Exhibit I** is a true and correct copy Exhibit 13 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains documents Bates stamped as DICKERSON000001-000004 produced by Mr. Dickerson during discovery .

12. Attached as **Exhibit J** is a true and correct copy Exhibit 12 introduced by

Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains Mr. Dickerson's TruCare notes for the time period potentially relevant to this lawsuit.

13. Attached as **Exhibit K** is a true and correct copy Exhibit 16 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains an email from Mr. Dickerson to Shantonio Elliott and Lauren Grounds dated 7/26/2021.

14. Attached as **Exhibit L** is a true and correct copy Exhibit 7 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains Mr. Dickerson's Travel and Business Expense Detail.

15. Attached as **Exhibit M** is a true and correct copy of Exhibit 1 introduced by Defendants' counsel at the deposition of Mr. Dickerson. The exhibit contains Mr. Dickerson's Answers and Responses to Defendants' First Set of Interrogatories and Requests for Production of Documents.

16. Attached as **Exhibit N** is a true and correct copy of Plaintiffs' Supplemental Disclosures Pursuant to Rule 26(a)(1) served on April 12, 2024.

17. Attached as **Exhibit O** is a true and correct copy of excerpts from the December 9, 2022 deposition of Plaintiff Kim King-Macon, which have been highlighted to correspond to cited testimony.

18. Attached as **Exhibit P** is a true and correct copy of Exhibit 20 introduced by Defendants' counsel at the deposition of Ms. King-Macon. The exhibit contains Ms. King-Macon's electronic HRIS File.

19. Attached as **Exhibit Q** is a true and correct copy of Exhibit 18 introduced by Defendants' counsel at the deposition of Ms. King-Macon. The exhibit contains Ms. King-Macon's Responses to Defendants' First Set of Requests for Admissions.

20. Attached as **Exhibit R** is a true and correct copy Exhibit 22 introduced by

Defendants' counsel at the deposition of Ms. King-Macon. The exhibit contains Ms. King-Macon's pay stubs.

21. Attached as **Exhibit S** is a true and correct copy Exhibit 23 introduced by Defendants' counsel at the deposition of Ms. King-Macon. The exhibit contains Ms. King-Macon's electronic timekeeping records.

22. Attached as **Exhibit T** is a true and correct copy Exhibit 24 introduced by Defendants' counsel at the deposition of Ms. King-Macon. The exhibit contains Ms. King-Macon's TruCare notes.

23. Attached as **Exhibit U** is a true and correct copy Exhibit 17 introduced by Defendants' counsel at the deposition of Ms. King-Macon. The exhibit contains Ms. King-Macon's Answers and Responses to Defendants' First Set of Interrogatories and Requests for Production of Documents.

24. Attached as **Exhibit V** is a true and correct copy of excerpts from the March 27, 2024 deposition of Plaintiff Tiffany Russell, which have been highlighted to correspond to cited testimony.

25. Attached as **Exhibit W** is a true and correct copy of Exhibit 30 introduced by Defendants' counsel at the deposition of Ms. Russell. The exhibit contains Ms. Russell's electronic HRIS file.

26. Attached as **Exhibit X** is a true and correct copy of Exhibit 27 introduced by Defendants' counsel at the deposition of Ms. Russell. The exhibit contains Ms. Russell's Responses to Defendants' First Set of Requests for Admission.

27. Attached as **Exhibit Y** is a true and correct copy of Exhibit 31 introduced by Defendants' counsel at the deposition of Ms. Russell. The exhibit contains some of Ms. Russell's calendar invites.

28. Attached as **Exhibit Z** is a true and correct copy Exhibit 34 introduced by Defendants' counsel at the deposition of Ms. Russell. The exhibit contains Ms. Russell's pay stubs for the time period potentially relevant to this lawsuit.

29. Attached as **Exhibit AA** is a true and correct copy Exhibit 35 introduced by Defendants' counsel at the deposition of Ms. Russell. The exhibit contains Ms. Russell's electronic timekeeping records for the time period potentially relevant to this lawsuit.

30. Attached as **Exhibit BB** is a true and correct copy Exhibit 36 introduced by Defendants' counsel at the deposition of Ms. Russell. The exhibit contains Ms. Russell's timesheet edit report for the time period potentially relevant to this lawsuit.

31. Attached as **Exhibit CC** is a true and correct copy Exhibit 26 introduced by Defendants' counsel at the deposition of Ms. Russell. The exhibit contains Ms. Russell's Answers and Responses to Defendants' First Set of Interrogatories and Requests for Production of Documents.

32. Attached as **Exhibit DD** is a true and correct copy of the complaint in *Banks et al. v. Centene Management Co. LLC et al.*, Case No. 4:21-cv-00429-DPM, ECF No. 1 (E.D. Ark. May 18, 2021).

33. Attached as **Exhibit EE** is a true and correct copy of Mr. Dickerson's consent to join the putative collective action in *Banks et al. v. Centene Management Co. LLC et al.*, Case No. 4:21-cv-00429-DPM, ECF No. 10 (E.D. Ark. Sept. 29, 2021).

34. Attached as **Exhibit FF** is a true and correct copy of Ms. King Macon's consent to join the putative collective action in *Banks et al. v. Centene Management Co. LLC et al.*, Case No. 4:21-cv-00429-DPM, ECF No. 11 (E.D. Ark. Nov. 11, 2021).

35. Attached as **Exhibit GG** is a true and correct copy of Defendants' motion to dismiss in *Banks et al. v. Centene Management Co. LLC et al.*, Case No. 4:21-cv-00429-DPM, ECF No. 15 (E.D. Ark. Jan. 31, 2022).

36. Attached as **Exhibit HH** is a true and correct copy of plaintiffs' proposed amended complaint in *Banks et al. v. Centene Management Co. LLC et al.*, Case No. 4:21-cv-00429-DPM, ECF No. 21-1 (E.D. Ark. Feb. 14, 2022).

37. Attached as **Exhibit II** is a true and correct copy of the Court's Order denying plaintiff's motion for conditional certification in *Banks et al. v. Centene Management Co. LLC et al.*, Case No. 4:21-cv-00429-DPM, ECF No. 25 (E.D. Ark. Mar. 23, 2022).

38. Attached as **Exhibit JJ** is a true and correct copy of Defendants' motion for summary judgment in *Banks et al. v. Centene Management Co. LLC et al.*, Case No. 4:21-cv-00429-DPM, ECF No. 28 (E.D. Ark. Oct. 31, 2022).

39. Attached as **Exhibit KK** is a true and correct copy of the Court's Order granting Defendants' motion for summary judgment in *Banks et al. v. Centene Management Co. LLC et al.*, Case No. 4:21-cv-00429-DPM, ECF No. 43 (E.D. Ark. Sept. 22, 2023).

40. Attached as **Exhibit LL** is a true and correct copy of the Judgment in *Banks et al. v. Centene Management Co. LLC et al.*, Case No. 4:21-cv-00429-DPM, ECF No. 44 (E.D. Ark. Sept. 22, 2023).

I declare under penalty of perjury under the laws of the United States of America that the foregoing declaration, consisting of 40 paragraphs, is true and correct.

Executed in Seattle, Washington on this 1st day of May, 2024.

Signature: s/ Breanne Sheetz Martell
Breanne Sheetz Martell

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 1st day of May, 2024, a true and correct copy of the above and foregoing **Declaration Of Breanne Sheetz Martell In Support Of Defendants' Motion Summary Judgment** Claims was electronically filed with the court using the CM/ECF system, which sent notification to all parties in interest participating in the CM/ECF

s/ Breanne Sheetz Martell
BREANNE SHEETZ MARTELL